

IN THE UNITED STATES DISTRICT COURT  
FOR DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

David Tyran Johnson,

Plaintiff,

v.

Lt. Chandler; Sgt. Calex; SCDC Security  
Threat Group Intelligence Task Force; Jane  
Doe (*Disciplinary Hearing Officer*),

Defendants.

C/A No.: 0:24-cv-3070-SAL

**ORDER**

This matter is before the court on review of the Report and Recommendation (the “Report”) issued by United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), recommending that claims against Defendants Chandler and Calex be dismissed with prejudice for failure to prosecute and that the pending motion for summary judgment be terminated. [ECF No. 68.] Attached to the Report was a notice advising Plaintiff of the procedures and requirements for filing objections to the Report. *Id.* at 3. Plaintiff has not objected to the Report, and the time to do so has expired.

As outlined in the Report, Defendants Chandler and Calex filed a motion for summary judgment on April 9, 2025. *See* ECF No. 59. Plaintiff was notified by the court of his required response to the motion for summary judgment on two occasions, and he was advised that his case could be subject to dismissal if he did not respond. *See* ECF Nos. 61, 64. He has not filed any response. As a result, the magistrate judge recommends the claims against Defendants Chandler and Calex be dismissed with prejudice and the motion for summary judgment be terminated. [ECF No. 68.] She further recommends the claims against Defendants SCDC Security Threat Group

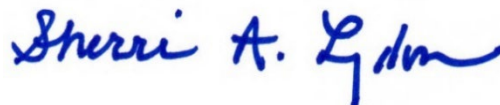
Intelligence Task Force and Jane Doe be dismissed without prejudice because their summonses were returned as unexecuted, and the service deadline has expired. *Id.* at n.1. Plaintiff has not responded.

The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

Finding no clear error in the Report, ECF No. 68, it is adopted and incorporated. Accordingly, Plaintiff’s claims against Defendants Chandler and Calex are **DISMISSED WITH PREJUDICE** for lack of prosecution, and Defendants’ motion for summary judgment, ECF No. 59, is **TERMINATED**. Plaintiff’s claims against Defendants SCDC Security Threat Group Intelligence Task Force and Jane Doe are **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

July 16, 2025  
Columbia, South Carolina



Sherri A. Lydon  
United States District Judge